

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTION SPARKS,)
)
)
Plaintiff,) Civil Action No. 10-259 Erie
)
v.)
)
ERIE POLICE DEPARTMENT, et al.,)
)
)
Defendants.)

MEMORANDUM ORDER

This civil action was received by the Clerk of Court on October 25, 2010, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 6], filed on January 10, 2011, recommended that the Plaintiff's case be dismissed for failure to prosecute. Plaintiff was allowed fourteen (14) days from the date of service to file objections. Service was made on Plaintiff by certified mail. After de novo review of the complaint and documents in the case, together with the Report and Recommendation, the following order is entered:

AND NOW, this 28th day of January, 2011;

IT IS HEREBY ORDERED that the Plaintiff's complaint is DISMISSED for failure to prosecute.

The Report and Recommendation [Doc. No. 6] of Magistrate Judge Baxter, filed on January 10, 2011, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin
United States District Judge

cm: All parties of record
Susan Paradise Baxter, U.S. Magistrate Judge